

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 1625
)	
BERG, Kurt Frimann)	Examiner: SOLOLA, T.
)	
Serial No.: 10/532,341)	Washington, D.C.
)	
Filed: April 22, 2008)	December 1, 2008
)	
For: PHARMACEUTICAL)	Docket No.: BERG=3
COMPOSITIONS COMPRISING)	
FLAVONOIDS...)	Confirmation No.: 1525

REQUEST FOR CONTINUED EXAMINATION (RCE)

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop RCE
401 Dulany Street
Alexandria, VA 22314

S i r :

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114 (must check "a" or "b")

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ DO NOT consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____.
- b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other

2. Miscellaneous

- a. ☒ Suspension of action on the above-identified

application is requested under 37 C.F.R. § 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required). If this box is checked, the PTO is specifically authorized, if the suspension fee is not otherwise paid, to charge the suspension fee to Deposit Account 02-4035.

b. ☐ Other

3. Fees

a. small entity status

☒ small entity status was previously asserted.

☐ small entity status is now asserted.

b. Fee Calculation

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e): \$

☒ 405.00 (small entity) ☐ 810.00 (large entity)

(The RCE fee is set at an amount equal to the basic filing fee of a utility application; small entity reduction is available.)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

Small Entity

Non-Small Entity

Response filed within:

Response filed within:

☐ first -\$ 65.00

☐ first - \$ 130.00

☐ second -\$ 245.00

☐ second - \$ 490.00

☒ third -\$ 555.00

☐ third - \$1,110.00

☐ fourth -\$ 865.00

☐ fourth - \$1,730.00

☐ fifth -\$1,175.00

☐ fifth - \$2,350.00

month after time period set. month after time period set.

(less \$ already paid for month(s) extension of time on).

iii. ☒ Fee of \$130 under 1.117(i) for requesting limited suspension.

iv. Additional claims

(RCE fee need not include excess claims fee for claims previously paid for)

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(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee	Rate	Additional Fee
Total	73	Minus	56	17		x 26	\$442.00	x 52	\$
Indep.	3	Minus	3	0		x110	\$	x220	\$
First Presentation of Multiple Dependent Claim						195	\$	+390	\$
TOTAL ADDITIONAL CLAIMS FEE							\$442.00	Total	\$

v. Other:_____.

c. The total fee due is therefore \$1532.00.

d. PAYMENT BY

i. ☐ Check (#) in the amount of :

ii. ☒ Attached is Credit Card Authorization authorizing payment in the amount of \$1532.00.

iii. ☐ Charge \$ _____ to Deposit Account No. 02-4035

e. ☒ Provisional extension of time if needed. Applicants authorize any charge of additional fees (**except issue and publication fee**) which may be required in connection with this application, for this paper or any later filed paper, to Deposit Account No. 02-4035.

f. ☒ The director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

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